

Office of the Secretary, DOT

§ 212.31

with the charter issued after the contract is signed.

(Approved by the Office of Management and Budget under control number 3024-0036)

[ER-1220, 46 FR 28375, May 26, 1981, as amended by ER-1341, 48 FR 31014, July 6, 1983]

§ 212.25 Charter trips originating in the United States.

(a) In the case of a charter trip originating in the United States which includes foreign air transportation, and where separate charter contracts cover the flight departing from the United States and the flight returning to the United States, the time by which the carrier to perform the returning flight, as well as the carrier to perform the departing flight, must receive full payment of its charter price (or a satisfactory bond for such payment), in compliance with the requirements of § 212.8(a) shall be not less than 10 days prior to the departing flight.

(b) In addition to requiring timely payment of its charter price (or the posting of a bond), pursuant to paragraph (a) of this section, the carrier performing the departing flight from the United States shall request in writing from the carrier performing the returning flight for the same chartering group, and the carrier performing the returning flight shall furnish, not later than 10 days prior to the scheduled departure, written confirmation that the latter carrier has also received timely payment of its charter price (or the posting of a bond), pursuant to paragraph (a) of this section. Both the request and the confirmation shall contain particulars sufficient to identify the charter trip, including such details as the date and point of origin of the departing flight, the date and point of origin of the returning flight, and the name of the chartering group; and both shall be accompanied by a passenger list. The confirmation shall also contain a statement to the effect that the carrier has not previously furnished such confirmation to any other carrier with respect to the same trip.

(c) [Reserved]

(d) Every carrier which has entered into a charter contract covering only one-way foreign air transportation from the United States, to be performed in connection with a pro rata

charter trip originating in the United States, must obtain, before performing such departing flight, either written confirmation from the returning carrier (as provided in paragraph (b) of this section), or a waiver granted by the Board pursuant to § 212.15, such waiver to be based either on the grounds set forth in said § 212.15, or on a showing that the arrangements between the chartering organization and the charter participants do not involve the provision of return transportation to the United States.

(e) For the purpose of this section, payment to the carrier's depository bank, as designated in the charter contract, shall be deemed payment to the carrier.

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(Interpret or apply sec. 102, as amended, 72 Stat. 740; 49 U.S.C. 1302; secs. 101(3), 204, 401, 403, 404, 407, 411, 416, 1002; 72 Stat. 737, 754, 758, 760, 766, 769, 771, 788 (49 U.S.C. 1301, 1324, 1371, 1373, 1374, 1377, 1381, 1386, 1482))

[ER-742, 37 FR 11239, June 6, 1972, as amended by ER-811, 38 FR 20259, July 30, 1973; ER-1065, 43 FR 36600, Aug. 18, 1978; ER-1220, 46 FR 28375, May 26, 1981; ER-1341, 48 FR 31014, July 6, 1983]

§ 212.26 Foreign air carrier to identify enplanements.

The carrier shall make reasonable efforts to assure that no person is enplaned whose name does not appear on the list of passengers supplied by the charterer under § 212.45.

[ER-1220, 46 FR 28375, May 26, 1981]

REQUIREMENTS RELATING TO TRAVEL AGENTS

§ 212.30 [Reserved]

§ 212.31 Statement of Supporting Information.

Travel agents shall execute, and furnish to foreign air carriers, section A of Part II of the Statement of Supporting Information (Appendix B) at such time as required by the carrier to afford it due time for review thereof.

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